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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/704,179	11/01/2000	Robert P. St. Pierre	SMQ-038	2696
46141	7590	03/06/2006	EXAMINER	
LAHIVE & COCKFIELD, LLP 28 STATE STREET BOSTON, MA 02109			NGUYEN, THU HA T	
			ART UNIT	PAPER NUMBER

2155

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/704,179

Applicant(s)

ST. PIERRE, ROBERT P.

Examiner

Thu Ha T. Nguyen

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,5-18,35 and 36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-18,35 and 36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims **1- 2, 5-18 and 35-36** are presented for examination.
2. Claims 5 and 6 recited the limitation "the at least one networked electronic device". There is insufficient antecedent basis for this limitation in these claims. Appropriate correction is required.

### **Continued Examination Under 37 CFR 1.114**

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 16, 2005 has been entered.

### **Claim Rejections - 35 USC § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 5-18 and 35-36 are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Nawaz et al.** (hereinafter Nawaz) U.S. Patent No. **6,421,694**, and **Davidson et al.** (hereinafter Davidson) U.S. Patent No. **6,246,693**, further in view of **Najork et al.** (hereinafter Najork) U.S. Patent No. **6,321,265**.

6. As to claim 1, Nawaz teaches the invention as claimed, including a method for displaying messages on a display device (figure 7, element 250), said messages originating from a plurality of networked electronic devices communicating with the display device over a network (figure 7, elements 256, 258, 260, 262, 264), said method comprising the steps of:

providing a protocol to enable a plurality of networked devices to send messages to a display device (col. 1, lines 55-60, col. 3, lines 26-46, col. 9, lines 29-48, col. 15, lines 46-56); and

registering a plurality of the networked electronic devices with said display device, prior to said display device displaying any messages from the plurality of networked electronic devices (col. 7, lines 35-43, col. 10, lines 9-58, col. 11, lines 39-56). Nawaz teaches the clients register with servers in order to communicate with each other. This feature deems to be inherent with the system because in a client-server environment, multiple servers are connected to a client and interchangeable. The client (read as display device) registers with a server (networked electronic device) can be interchangeable for servers register with a client, vice versa. Since both client and servers have to register in order to communicate and exchange information with each other.

However, Nawaz does not explicitly teach the feature of creating, in response to the registering of the plurality of networked electronic devices with said display device, a separate priority message queue on said display device for each networked electronic device registered with the display device, each priority message queue having a priority level assigned to it based on an identity of the registered networked electronic device, each display message received by the display device from a registered networked electronic device being placed in the priority message queued that is assigned to said networked electronic device.

Davidson teaches each priority queue has a priority level (col. 3, lines, 33-36, col. 18, lines 43-52, col. 19, lines 15-59). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate each priority queue has a priority level, as disclosed by Davidson, into Nawaz system in order to minimum or avoid message collision between multiple messages (Davidson col. 2, line 65-col. 3, line 15).

Najork teaches creating, in response to the registering of the plurality of networked electronic devices with said display device, a separate priority message queue on said display device for each networked electronic device registered with the display device, each priority message queue is assigned based on an identity of the registered networked electronic device, each display message received by the display device from a registered networked electronic device being placed in the priority message queued that is assigned to said networked electronic device (figures 1-2, 4, col. 5, lines 23-41, col. 6, lines 7-45, col. 7, line 4-col. 8, line, 40, col. 8, line 42-col. 9,

line 44). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Najork into Nawaz and Davidson system to include the feature of creating each separate priority message queue for each networked electronic device because it would have provided an efficient system for providing high-performance web crawler (i.e., display device) that has capability to download and process web pages/documents (i.e., display messages) in the selected queue in the order set (i.e., priority) (see Najork col. 1, lines 49-59, col. 2, lines 63-67).

7. As to claim 2, Nawaz teaches the invention as claimed, wherein the network is an Internet Protocol (IP) based network (col. 1, lines 55-60).

8. As to claim 5, Nawaz teaches the invention as claimed, wherein said registering further comprises: sending to the display device a text string representing a device name for the selected networked electronic device (col. 7, lines 35-43, col. 11, lines 39-56).

9. As to claim 6, Nawaz teaches the invention as claimed, wherein said method further comprises the step of: sending to the display device a graphical image representing the at least one networked electronic device (col. 12, lines 65-col. 13, lines 4).

10. As to claim 7, Nawaz teaches the invention as claimed, said method comprising the additional steps of:

receiving a display message at the display device from a given one of the networked electronic devices (abstract, col. 11, lines 39-col. 12, lines 14); and

placing the received display message in the priority message queue for the given networked electronic device (col. 9, lines 49-62, col. 11, lines 30-38, col. 12, lines 15-37).

11. As to claim 8, Nawaz teaches the invention as claimed, wherein said received display message in the message queue for the given networked electronic device contains text (col. 1, lines 45-54, col. 7, lines 35-43, col. 11, lines 39-56).

12. As to claim 9, Nawaz teaches the invention as claimed, wherein said received display message in the message queue for the given networked electronic device contains a graphical image (col. 12, lines 65-col. 13, lines 4).

13. As to claim 10, Nawaz teaches the invention as claimed, wherein said received display message for the given networked electronic device contains both text and a graphical image (col. 1, lines 45-54, col. 7, lines 35-43, col. 11, lines 39-56, col. 12, lines 65-col. 13, lines 4).

14. As to claim 11, Nawaz teaches the invention as claimed, said method comprising the additional steps of providing a priority level for each display message sent from the given networked electronic device to the display device (col. 11, lines 30-

col. 12, lines 37). Davidson teaches creating a unique message ID identifying each message placed in said priority message queue of said given networked electronic device (col. 11, lines 41-58).

15. As to claim 12, Nawaz teaches displaying said selected message on said display device (col. 11, lines 30-col. 12, lines 37). Davidson teaches selecting a highest priority message queue among the priority message queues, said priority message queue containing at least one message; selecting from within said highest priority message queue a message with the highest message priority level (col. 19, lines 13-27).

16. As to claim 13, Davidson teaches sending a request to said display device from a registered networked electronic device that is registered with the display device to remove a message from the priority message queue of said registered networked electronic device (col. 19, lines 49-54).

17. As to claim 14, Davidson teaches sending a list of Message IDs appearing in a priority message queue from said display device to a particular networked electronic device registered with said display device in response to a request from said particular networked electronic device (col. 11, lines 40-58, col. 20, lines 44-67).



18. As to claim 15, Davidson teaches sending a status message providing a current status of a message in a priority message queue from said display device to a registered networked electronic device registered with said display device in response to a request from said registered networked electronic device (col. 19, lines 28-38).

19. As to claim 16, Nawaz teaches the invention as claimed, including display instructions as part of the display message sent to said display device by the given networked electronic device registered with said display device (col. 9, lines 29-62, col. 11, lines 39-col. 12, lines 14).

20. As to claim 17, Nawaz teaches the invention as claimed, said method comprising the additional step of: unregistering said given networked electronic device registered with said display device (col. 10, lines 9, lines 18).

21. As to claim 18, Nawaz teaches the invention as claimed, wherein said messages are written using the using the extensible markup language (XML) (col. 1, lines 61-col. 2, lines 36, col. 11, lines 39-col. 12, lines 14).

22. As to claim 35, Nawaz teaches the invention as claimed, including a computer-readable medium for use with a display device with a network interface, said computer-readable medium holding computer - executable instructions for a method, said instructions comprising the steps of:

providing a protocol to enable a plurality of networked devices to send messages to a display device (col. 1, lines 55-60, col. 3, lines 26-46, col. 9, lines 29-48, col. 15, lines 46-56); and

registering a plurality of networked electronic devices with said display device, prior to said display device displaying any messages from the plurality of networked electronic device (col. 7, lines 35-43, col. 10, lines 9-58, col. 11, lines 39-56). Nawaz teaches the clients register with servers in order to communicate with each other. This feature deems to be inherent with the system because in a client-server environment, multiple servers are connected to a client and interchangeable. The client (read as display device) registers with a server (networked electronic device) can be interchangeable for a server registers with a client, vice versa. Since both client and server have to register in order to communicate and exchange information with each other.

However, Nawaz does not explicitly teach the feature of creating, in response to the registering of the plurality of networked electronic devices with said display device, a separate priority message queue on said display device for each networked electronic device registered with the display device, each priority message queue having a priority level assigned to it based on an identity of the registered networked electronic device, each display message received by the display device from a registered networked electronic device being placed in the priority message queued that is assigned to said networked electronic device.

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Najork teaches creating, in response to the registering of the plurality of networked electronic devices with said display device, a separate priority message queue on said display device for each networked electronic device registered with the display device, each priority message queue is assigned based on an identity of the registered networked electronic device, each display message received by the display device from a registered networked electronic device being placed in the priority message queued that is assigned to said networked electronic device (figures 1-2, 4, col. 5, lines 23-41, col. 6, lines 7-45, col. 7, line 4-col. 8, line, 40, col. 8, line 42-col. 9, line 44). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Najork into Nawaz and Davidson system to include the feature of creating each separate priority message queue for each networked electronic device because it would have provided an efficient system for providing high-performance web crawler (i.e., display device) that has capability to download and process web pages/documents (i.e., display messages) in the selected queue in the order set (i.e., priority) (see Najork col. 1, lines 49-59, col. 2, lines 63-67).

23. As to claim 36, Nawaz teaches the invention as claimed, wherein said network is an Internet Protocol (IP) based network (col. 1, lines 55-60).

### **Conclusion**

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a) Hluchyj et al. (USPN 5,231,633) discloses system and method for prioritizing, selectively discarding and multiplexing differing traffic type fast packets.

b) Nishikawa et al. (USPN 2002/0143592), discloses system and method for reception management of handling transactions.

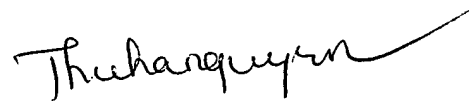
25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Najjar Saleh, can be reached at (571) 272-4006.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'ThuHa Nguyen', with a long, sweeping horizontal line extending to the right.

ThuHa Nguyen  
Patent Examiner

March 3, 2006